

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

SA.No. 336 of 1995

(AS.27/1988 of SUB COURT, CHERTHALA
OS.185/1979 of PRL.MUNSIFF COURT, CHERTHALA)

APPELLANTS/APPELLANTS/DEFENDANTS 1 &2:

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1. K. RAMADAS, S/O. PARAYIL KRISHNAN
RESIDING AT MANIBEN, VADAKKUM MURI, CHERTHALA.
 2. R. KESAVADAS, S/O. RAMADAS, RESIDING AT -DO- -DO-

BY ADV. SRI.O.RAMACHANDRAN NAMBIAR
ADV. SMT.N.SUDHA
ADV. SRI.K.S.BABU

RESPONDENTS/RESPONDENTS/PLAINTIFFS 1 &2, DEFENDANTS 3 TO 6 &8
AND L.Rs OF DECEASED 7TH RESPONDENT:

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1. K. SARALA DEVI, PARAYIL, RESIDING AT KARTHIKAYIL,
VADAKKUM MURI, CHERTHALA.
 2. K. RADHAKRISHNAN, KARTHIKAYIL, VADAKKUM MURI,
CHERTHALA.
 3. K. SATHYA PRASAD, S/O. PARAYIL KRISHNAN,
DEEPTHI BHAVANAM, KIZHAKKUM MURI, CHERTHALA.
 4. KRISHNA PILLAI K. PARAMESWARAN PILLAI,
AYYANATTU VEETIL, VECHOOR VILLAGE, VAIKOM.
 5. KARUNAKARAN MENAVAN K. SANKARAN MENAVAN,
KIZHAKKEDATH, VADAKKUM MURI, CHERTHALA.
 6. DEVAKI AMMA MANIYAMMA, W/O. RAMADAS,
MANIBEN, VADAKKUM MURI, CHERTHALA.
 7. LALITHAMMA, D/O. KUNJUKUTTY AMMA, KIZHAKKEDATHU
VEETIL, VADAKKUM MURI, CHERTHALA.
 8. GEETHA SUKUMARAN, KIZHAKKEDATH, C.M.C. 5/237, CHERTHALA.
 9. JYOTHIKUMAR, ASSISTANT BRANCH MANAGER,
LIC OF INDIA, IRINJALAKKUDA.

R8 BY ADV. SRI.V.P.SUKUMAR

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON
01/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

SA.No. 336 of 1995

ORDER ON C.M.P.NO. 883 OF 1995 IN S.A.NO. 336 OF 1995

DISMISSED.

01.12.2007

SD/- K.T. SANKARAN, JUDGE.

/TRUE COPY/

P.A. TO JUDGE.

K.T. SANKARAN, J.

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S.A. No. 336 OF 1995
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Dated this the 1st December , 2007

J U D G M E N T

The fourth respondent is dead. Notice sent in September, 1995 was returned stating that Respondent No.4 is dead. No steps were taken by the appellants. On 15.10.2007, three weeks' time was granted to cure the defects. There after, the case was posted before the Registrar (Judicial) on 16.11.2007. On that date also, no steps were taken. Even now, no steps are taken to implead the legal representatives of the 4th respondent.

The Second Appeal is therefore dismissed for default.

**K.T. SANKARAN,
JUDGE.**

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K.T. SANKARAN, J.

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S.A. No. 336 OF 1995

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Dated this the 1st December, 2007

J U D G M E N T